

# **MEMORANDUM OF AGREEMENT (MOA) FOR GIS COORDINATION IN SOUTH CAROLINA**

## ***Introduction***

South Carolina has been a leader in the development of Geographic Information Systems (GIS) in the United States with substantial programs in the Departments of Commerce, Natural Resources, Health and Environmental Control, Parks, Recreation and Tourism, Transportation, Budget and Control Board, Office of Research and Statistics as well as numerous county and municipal governments. In addition, the University of South Carolina was an early leader in GIS and remains on the forefront of education in GIS. Numerous successful projects have been implemented throughout South Carolina state government including the SC Infrastructure Project (SCIP) at the Dept. of Commerce, the Edisto River Project at the Dept. of Natural Resources and the SC GIS Data Catalog Project at the Dept. of Health and Environmental Control.

Despite these GIS successes, the State has lagged behind other states in coordination of GIS activities and programs. This has resulted in duplication of effort in data base development and missed opportunities for interagency joint funding agreements and federal grants. In 2000, several agencies jointly funded a GIS user needs assessment for South Carolina. More than twenty GIS users or potential users were interviewed to identify current GIS assets and future plans. The project also surveyed users with regard to the value of GIS coordination to the agency and to the state. Among the report recommendations was the creation of an independent GIS Coordination Office that is supervised by multi-agency GIS Coordination Council to serve as a liaison for GIS coordination and as a focal point for funding initiatives.

Last year, Governor Sanford created a task force to develop recommendations pertaining to the coordination of GIS within the state. The task force, chaired by Dr. David Cowen consisted of members of six major state agencies, unanimously agreed to five recommendations including the creation of a South Carolina GIS coordinating council. These recommendations have been accepted by Governor Sanford who has requested that the task force take the next steps to establish the Council.

## ***Purpose of this Memorandum of Agreement***

The purpose of this MOA is to establish the South Carolina Geographic Information Council (SCGIC) to better coordinate GIS activities in the State including spatial data collection and management, standards development and data and information sharing. The SCGIC also will serve as the formal body to develop operational strategies and policies for GIS implementation among cooperating agencies in South Carolina. Nothing in this MOA shall be interpreted to prevent member agencies from carrying out their individual missions and statutory responsibilities in conformance with standards and requirements applicable to their agencies, from creating GIS programs or initiatives independently of the SCGIC, or from being the primary custodian of their own data.

The coordination responsibilities of the SCGIC are:

1. Establish a shared vision for GIS implementation in South Carolina.
2. Coordinate enterprise-level planning and implementation of strategic GIS initiatives where it does not conflict with the mandated mission of the member agencies.
3. Identify data custodianship and management and work to resolve associated issues.
4. Identify redundant data and establish the process to eliminate the generation and storage of redundant data.
5. Establish standards and acceptance criteria for data collection, modification and use that do not conflict with mandated member agency missions.
6. Establish standards to improve data quality.
7. Establish standards for the capture and documentation of metadata.
8. Facilitate public access to data through a state GIS portal.
9. Establish a mechanism for funding the activities of the Council.
10. Establish, fund and supervise a GIS Coordinator position for the State.
11. Promote legislative, congressional, grant and other initiatives to fund critical GIS activities in South Carolina.

### ***Membership***

Membership in the S.C. Geographic Information Council is open to any, and all, state government agencies and commissions and institutions of higher education involved in GIS activities in the State of South Carolina. Each member agency or organization is expected to adhere to this Memorandum of Agreement.

### ***Responsibilities of member agencies***

Member agencies agree to the following:

1. Contribute annually to the funding of the salary, fringe benefits and operational budget for a GIS Coordinator (\$120,000 estimated). The amount of funds required to support the position will be divided proportionally among member agencies.
2. Participate in the strategic planning and establishment of GIS data and operations standards.
3. Make data available to state, federal and local governments at no charge, provided such state, federal and local governments are permitted to provide their data to member agencies at no charge. Data protected under federal, state or contract law or that may compromise the security, identity or privacy of citizens of South Carolina are exempted from this provision of the agreement.
4. Support the creation of a web-based clearinghouse that will provide a single point of entry for the discovery of geographic data assets from all public agencies in South Carolina. This clearinghouse should follow the technical specifications established by the Federal Geographic Data Committee and be based on FGDC metadata standards.
5. Develop and maintain metadata for layers under their custodianship.
6. Adhere to the decisions and recommendations of the SC Geographic Information Council for statewide implementation of spatial technologies where they do not conflict with Federal or State requirements.

### ***GIS Coordination Organizational Structure***

The SC GIC will be composed of agency directors, or their designated representative, from each member agency plus the Chair of the South Carolina State Mapping Advisory Committee. The Council will create by-laws and operational guidelines to conduct business related to GIS coordination as well as create procedures to establish various technical advisory subcommittees or other working groups as needed. The Chair of SMAC will provide an important liaison for the non-state government GIS constituency including county and municipal governments. SMAC will not be expected to contribute to the financial support of the Council but would participate as a voting member on all council activities. The Chief Information Officer and interested federal agencies should have ex officio membership.

State agency representatives on the council should have the authority to commit financial and/or personnel resources and approve policies relating to the decisions of the Council. Information Technology Directors, Senior GIS Managers, or other GIS technical staff, will provide technical advice and support to the GIC.

The chairman of the GIC will rotate on a two-year basis among member agency directors.

The SC Geographic Information Council will have the authority to establish various technical advisory subcommittees are deemed necessary to accomplish GIS coordination and standards development activities.

### ***Geographic Information Council Charter***

The SC Geographic Information Council will develop a mission statement, charter and by-laws that establish its operational procedures and protocols.

### ***Sponsorship of GIS Coordinator***

The SC Geographic Information Council agrees to financially support a GIS Coordinator position for South Carolina. Member agencies will provide funding at the beginning of every fiscal year to support the coordinator position's salary and fringe benefits as well as travel and postal charges. The South Carolina Department of Natural Resources agrees to house the GIS Coordinator position and provide standard office space, telecommunications and data processing capabilities, secretarial and administrative support, vehicle access, and web site support.

### ***Responsibilities of the GIS Coordinator***

The GIS Coordinator will serve as the primary staff to support the mission of the SC GIC and perform the daily coordination activities. Among the Coordinator's duties are:

1. Carryout duties and assignments defined by the SC Geographic Information Council.
2. Serve as liaison between the SCGIC and the user community.
3. Maintain an inventory of state agency data assets including metadata.
4. Prepare position papers, legislative initiatives, Requests for Proposals, Memorandums of Agreement, grant proposals and other documentation to accomplish directives of the SCGIC.

5. Make presentations, provide testimony, and support State Executive and Legislative Branch staff in the preparation of GIS funding initiatives.
6. Prepare annual report of GIS-related activities, accomplishments, and status in South Carolina. This report will specifically highlight activities that have been enhanced by improved coordination and the economic benefits from cost reduction and new funds generated through external grants and contracts. The annual report should also identify issues where improvement in coordination efforts is required and recommendations about proper remedies
7. Monitor progress of various technical advisory subcommittees of the SC GIC.
8. Serve as state representative to the National States Geographic Information Council (NSGIC) and other GIS-related organizations.
9. Assist agencies with development of grant proposals and technical specifications for GIS data development.
10. Review agency grant proposals and technical specifications for compliance with established GIC standards and goals.
11. Coordinate the activities of the State GIS Data Portal.

### ***Liability***

No party shall be liable for any claims, demands, expenses, liabilities and losses (including reasonable attorney's fees) which may arise out of any acts or failures to act by any party, its employee or agents, in connection with the performance of services pursuant to this agreement.

### ***Termination***

Subject to the provisions contained below, this agreement may be terminated by any party providing written notice of that intent to the Council thirty (30) days in advance.

### ***Limitations on Sharing and Disclosing Information***

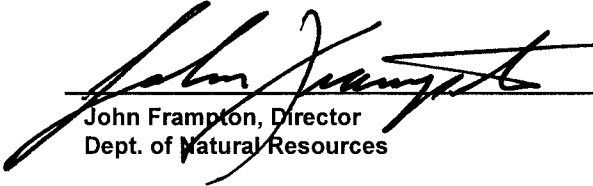
The member agencies acknowledge and agree that certain types of data and information collected and utilized by the agencies may be protected from disclosure or subject to restrictions on disclosure, pursuant to state and federal law. To the extent required by law, this data and information shall be exempt from the provisions of this MOA regarding sharing between member agencies, or disclosure to other state, federal and local governments and to the public. The member agencies also acknowledge and agree that certain data and information sharing is controlled by specific contractual relationships between the member agencies, not by provisions of this MOA.

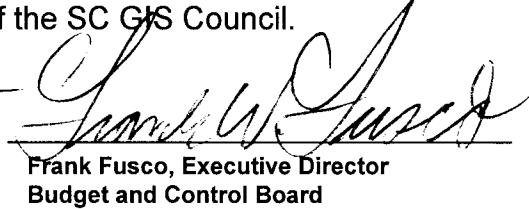
Data and information that may compromise the security, identity, or privacy of citizens of South Carolina is exempt from disclosure under this MOA. The S. C. Freedom of Information Act protects information of a personal nature such that public disclosure would constitute an unreasonable invasion of privacy. The Family Privacy Protection Act places additional limitations on the disclosure of personal information. Protected Health Information that identifies an individual generally cannot be disclosed unless properly authorized by the client or his/her legal

representative, or pursuant to a specific exception under the Health Insurance Portability and Accountability Act (Privacy Rule, 45 CFR Parts 160 and 164.)

**Agency Approval**

We, the undersigned, agree to support GIS Coordination and adhere to the policies outlined in this document and the decisions of the SC GIS Council.

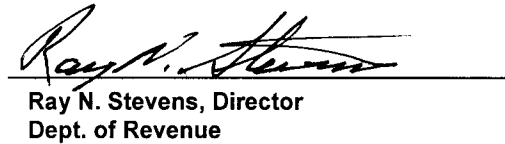
  
John Frampton, Director  
Dept. of Natural Resources

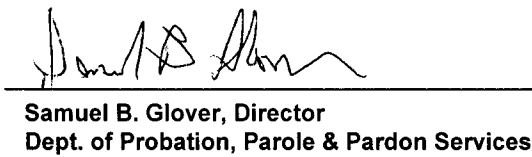
  
Frank Fusco, Executive Director  
Budget and Control Board

  
C. Earl Hunter, Commissioner  
Dept. of Health and Environmental Control

  
Elizabeth Mabry, Director  
Dept. of Transportation

  
Mandy M. Kibler, Director  
Division of Administration  
Dept. of Commerce

  
Ray N. Stevens, Director  
Dept. of Revenue

  
Samuel B. Glover, Director  
Dept. of Probation, Parole & Pardon Services

  
Robert C. Schowalter, State Forester  
Forestry Commission

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